IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No.885 (S/S) of 2003

Amar Prakash Mamgain

…… Petitioner

Versus

Union of India through Secretary,
Home, New Delhi and another

…… Respondents

…….

Hon'ble P.C. Verma, J.

Heard Sri C.K.Sharma, learned counsel for the petitioner and Sri G.S.Bisht, learned Senior Central Government Standing Counsel who has accepted notice on behalf of the respondent-Union of India.

Admit.

By consent the writ petition is taken up for final hearing.

This petition has been filed by the petitioner seeking writ of direction commanding the respondents to produce the order of termination in writing with further prayer to issue writ of mandamus directing the respondents to allow the petitioner gto complete his training period.

The learned counsel for the petitioner submitted that the respondents orally directed the petitioner to leave the Battalion without being any termination order in writing.

Despite the time granted to the learned counsel for the Union of India, he could not produce any termination order in writing. Since the petitioner was appointed by an order in writing, hisservices cannot be terminated orally. It is provided that the petitioner shall be permitted to complete his training and shall be paid his salary. However, it is open for the respondents to pass appropriate orders in accordance with law.

The petition is disposed of accordingly.

28.08.2003
P.Singh

(P.C. Verma, J.)